



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Friday, the Twelfth day of February Two Thousand Twenty One
PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM
CMA(MD). No.84 of 2010

THE BRANCH MANAGER,
M/S.UNITED INDIA INSURANCE COMPANY LIMITED,
74A, SALAI ROAD,
TRICHY-10,
TRICHY DISTRICT.

... Appellant / 2nd Respondent

Vs

1 V.RAJENDRAN

... Respondent No.1 / Claimant

2 N.SENTHILKUMAR

... Respondent No.2 / Respondent No.1

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal, III Additional Subordinate Judge, Tiruchirappalli, dated 11.08.2009 made in MCOP No.2072 of 2004.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this day, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of MR.B.RAJESH SARAVANAN, Advocate for the Appellant and of MR.R.SUNDAR, Advocate for the 1st Respondent, this Court while allowing this appeal in part with the modification of award amount awarded by the Tribunal doth order and decree as follows:-

(1) That the award amount of Rs.1,35,500/-(Rs.One Lakh Thirty Five Thousand and Five Hundred only) passed by the Tribunal below be and hereby is reduced to Rs.1,10,000/-(Rupees One Lakh and Ten Thousand only).

(2) That the Appellant/Insurance Company be and hereby is directed to deposit the entire amount awarded herewith, together with interest and costs, after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of copy of this judgment.

(3) That on such deposit being made, the 1st Respondent /claimant shall withdraw the modified award amount so deposited, together with the interest and costs accrued thereon, less the amount already withdrawn, after filling necessary application before the Tribunal.



(4) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

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Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal,
III Additional Subordinate Judge,
Tiruchirappalli.

Copy to:

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V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.B.RAJESH SARAIVANAN, Advocate (SR-5073 dated 15/02/2021)

ORDER DATED : 12/02/2021

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DECREE
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CMA(MD) . No.84 of 2010

Nature of Decree:-Allowing
the Civil Miscellaneous
Appeal in part preferred against the
judgment and decree of the Motor
Accident Claims Tribunal, III
Additional Subordinate Judge,
Tiruchirappalli, dated 11.08.2009
made in MCOP No.2072 of 2004, etc as
stated within.

KB(18.03.2021) 2P 5C